

Compliance Assessment Report

Report ID:
CAR_NRW0017498

This form will report compliance with your permit as determined by an NRW officer

Site	Silent Valley Landfill Leachate Treatment and Disposal Facility	Permit Ref	UP3335SN		
Operator/Permit holder	Blaenau Gwent County Borough Council				
Regime	Installations				
Date of assessment	06/07/2016	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	IC1, IC2, Sewer data and Annual Report				
Lead officer's name	Ward, Tyrone				
Accompanied by	Leakey, Antony				
Recipient's name/position	Matthew Perry/ Service Manager	Date issued	24/02/2017		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Sewer data

Monitoring data received and reviewed. For Q1 daily emissions are within the limits set by the permit, i.e. no greater than 3000 m³/day, no greater than 350,000 m³/year. (Note the permit was varied on 4th March 16 (variation V003) This variation removed these limits and now refers to the sewer discharge consent instead (Dwr Cymru ref TE610))

Monitoring data received and reviewed for periods Q2, Q3 and Q4.

Leachate Lagoon IC1 Contingency Response Plan

Updated Plan provided by BGCBC on 13th Feb17.

This condition is now approved.

Leachate Lagoon IC2 Feasibility Report.

Final Report provided on 21st Nov16 with subsequent meeting held at SV to discuss. (Present BGCBC, SVWS, Arup, NRW)

The report has been updated to reflect the revised DCWW sewer consent; this now includes provision for peak flow.

A minimum 12-month monitoring period from selected pipe outfalls to the sump and lagoon is proposed initially (water/leachate quality and flow rate.) The work will also include prior camera surveys.

However, more detail is needed in the report on the long-term option for the sewer line (e.g. above or below ground, upgrade or replace?) A 10yd easement width is in place.

We discussed the potential for encroachment and doing work in the SSSI. NRW have considered further and offer the following general comments:-

The proposals detail the possibility of a new lagoon being built within the boundary of the SSSI.

In the absence of any details of the nature of the proposed development, the following general comments are given relating to the site location only. On receipt of more detailed information on the proposals, we would be happy to provide further comments.

Any development that may occur in SSSI is likely to require mitigation to prevent adverse impacts to the SSSI features of interest.

The area identified is within woodland compartment 1c. It is dry woodland comprised of beech –oak – birch. Importantly this area is a non-intervention area with no active management other than the maintenance of the

boundary fence. Any development in this area will therefore impact this regime and natural woodland processes.

Two preferable options were identified, along with those to be discounted. Discussion included consideration of the associated costs along with the physical constraints of the site. (A further option for a reed bed treatment system was also discussed)

Confidence in the final design will be provided once the monitoring data starts coming through. Arup stressed that the monitoring period needs to start asap in order to include the winter period.

In preparation, BGCBC to arrange cleaning out the main sump. The operator will provide 6 and 9 month monitoring report updates. Proposals agreed. **Action BGCBC/Arup** to confirm the monitoring start date.

We also discussed the existing diesel pumps. **Action BGCBC/Arup** to consider reviewing interim arrangements (e.g. for replacement compressed air or electric pumps, which may give environmental and cost savings)

Annual Report 2016

Annual Report received and reviewed.

Table S4.2 - BGCBC to provide an indicative date for next sludge removal.

Appendix 1 - Biological Monitoring Survey.

We are not familiar with the revised BMWP scores Golders refer to (which have the effect of boosting the scores) and the only place we have come across these revised scores are in the document.

The categorisations of water quality using just BMWP score have been defunct certainly since before 2010, and are not a reliable way of assessing macroinvertebrate biological quality. Without modelling the expected macroinvertebrate communities one would expect to find at these sites (using a computer model e.g. RICT), you cannot reliably comment on the water quality of the site.

Having said this, it seems there is no significant difference in macroinvertebrate biological between upstream and downstream of the landfill, judging from the sites sampled. Although it is of concern that the BMWP scores in 2016 are the lowest ever seen downstream of the landfill (and are in reality even lower because of the revised scores Golder have used)

EPR Compliance Assessment Report

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Operator/Permit holder	Blaenau Gwent County Borough Council	Date	06/07/2016

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.